# Rethinking youth justice journeys

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# Rethinking Youth Justice Journeys: Complex Needs, Impeded Capabilities and Criminalisation.

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## Abstract

This paper rethinks youth justice policy and practice in terms of movement, challenging its dominant, static framing. Holistic services have a high travel burden, with absence highly problematic for effective practice. Yet children's youth justice journeys and their effects currently remain invisible. Evidence from 28 young people and 33 practitioners will demonstrate the urgent need to develop policies that do not punish children who are poorly placed to travel. The compulsory catapulting of 'kinetic underclass' members around locality settings suggests the need for policy innovation, with new 'minimum standards' providing effective, child centred opportunities through comprehensive yet malleable minimum entitlements.

## Keywords

Children; Youth Justice; Deprivation; Journey; Mobilities.

# Why elevate the status of youth justice journeys?

## Background context

The Youth Justice System of England and Wales is in flux, with philosophical self-reflection, practice experimentation and population shrinkage providing extensive opportunities to streamline policy and practice (Byrne and Brooks 2015, Bateman 2016, Taylor 2016, Goldson 2013). A multitude of essential local services are embedded within community sentences to respond to society's most marginalised children. This means practice is shaped by health problems, family difficulties, inadequate housing, insufficient educational progress, limited employment opportunities, having a low income and being 'looked after' by local authority 'parents' (HM Government 1998, YJB 2005). Yet the high travel burden associated with such structures remains opaque, with their effects in urgent need of consideration.

This paper transposes theoretical ideas of movement within a youth justice context for the first time, challenging celebratory interpretations of holistic services that fall short when attempting to improve lives (Cresswell 2010, Urry 2007, Kaufmann et al 2004). Different existing ideas have the potential to problematise the ways children travel to community youth justice appointments. Children's geographies, transport studies and territoriality explore limitations brought about by dependency, income, experience, transport coverage and movement freedoms (Kraftl et al 2012, Horton 2016, Barker 2009, 2012, Lucas 2012, Kintrea et al 2008). The new mobilities paradigm has particular explanatory potential as it reconceptualises society through the movement of people, objects and communications, while opposing the dominant social science orthodoxy for static, place-based understandings (Urry 2007, Cresswell 2006, Sheller and Urry 2016). Mobilities are socially situated and laden with explanatory potential (ibid), providing opportunities to unearth rich understandings of everyday life. As such, a mobilities lens can shift policy focus from specific institutional times and places (such as with absence), to dynamic and complex, marginal places (such as journeys).

The youth justice journey is contradictory - its position before and after compulsory contacts means it sits at the margins, despite being fundamentally central to youth justice operations. It is almost entirely absent from policy (2014a,b) despite enveloping the majority of youth justice activities. Despite comprehensive scrutiny of children's problems elsewhere (YJB 2005), youth justice journey problems remain elusive in research and policy terms. At present, managerialist self-reflection and risk management have started to give way to a system that foregrounds the child (Allars 2018b, Haines and Case 2015, NAYJ 2018, Fergusson 2007, YJB 2005, Taylor 2016), with a residual backdrop of contradictory philosophies that help, punish, rehabilitate and reintegrate children into society (Burnett and Appleton 2004, Hart 2010, HM Government 1998, YJB 2005). Yet the prevailing policy gap on journey making means responding treatment is inadvertently seated within the outdated dichotomous sphere of welfare support and justice-based punishment, even eluding the risk factor prevention paradigm (Goldson and Muncie 2006, YJB 2005, Case 2006). From a journey making perspective, the prospect of 25 weekly contact hours at various unfamiliar destinations for a child with no money, limited literacy and

mental ill health is likely to leave little cause for celebration. If child centred youth justice is to be seriously adopted (NAYJ 2018 Allars 2018b Haines and Case 2015, Unicef 2014, YJB 2018c), policy guidance needs to stop its occasional gaze towards the institutional periphery and engage in a hard stare.

This paper supports compelling arguments that problematise justice agency engagement in childhood (McAra and McVie 2007, Boman et al 2014), with evidence from 28 children and 33 youth justice practitioners used to develop new knowledge on what happens to children immediately before youth justice appointments. New connections between social disadvantage, journey problems and adverse youth justice treatment will be evident for children living with some of the highest levels of deprivation and youth justice community sentence breakdown in England (YJB 2017, ONS 2010). This paper also establishes youth justice journey problems as socially (re)productive and criminogenic, with punishment, service withdrawal and long term unmet needs all connected. Currently within youth justice, what can be termed as an 'exonerative turn' is taking place. Yet punitive relaxation is unlikely to future proof the treatment of children, as evident through previous ideological shifts (Smith 2014). Rather than focusing on policy failure in the context of youth justice accessibility, this paper reflects on new opportunities for policy innovation through 'minimum standards' (Padley at al 2013, Davis et al 2016). This approach provides opportunities to respond to absolute necessity, while avoiding inflexible compulsory requirements or inequitable discretion. Ultimately, empirical evidence in this paper will argue for new 'minimum mobility standards' to promote effective youth justice and full societal participation.

## Social disadvantage heightens journey problems

Youth justice journeys remain little understood, with the customary, system orientated 'youth justice studies' lens not necessarily well placed to detect structural inequalities and system injustices (Phoenix 2016). Contrastingly, the 'new mobilities paradigm' problematises poorly detected issues that move, challenging the social science orthodoxy for static, place-based knowledge (Urry 2007, Cresswell 2006, Ferguson 2016). Advocates of this recent turn use an eclectic mix of transport, geography, politics and social science within a 'critical geosophy' (Cresswell 2006) to examine otherwise overlooked areas. The 'politics of mobility' provides further opportunities for youth justice, connecting social position with journey choice, route, experience, speed and ending (Cresswell 2010, Eidse et al 2016). It suggests social hardship exacerbates journey problems as for example, repeated lateness can result in service retraction and impeded quality of life. Alongside broader rights, all citizens are suggested as having a 'right to mobility', challenging the legitimacy of journey inequalities in contemporary society (Doughty and Murray 2014, Unicef 2014). Yet free citizen movement can remain unavailable to those with 'contested citizenship' statuses (Jocoy and Del Casino Jr 2010), such as convicted populations. Such connections legitimise the moralising of unsuccessful journeys, with 'kinetic underclass' membership subsequently likely for the youth justice population (Eidse et al 2016, Cresswell 2010, HM Government 1998, Kaufmann et al 2004). This acknowledgement of children's socially produced and (re)productive journeys is argument enough for increased policy attention (Urry 2007).

Mobilities and carceral geographies contest dominant notions of institutions as rigid, static and clearly demarcated, with institutional boundaries blurred by peripheral activities, like those prior to appointments that impact engagement (Ludwig-Mayerhofer and Behrend 2015, Moran 2015, Sheller and Urry 2016). Children's circumstances can mean they are not equally capable of being present and punctual, with the wrong speed or timings problematic for effective institutional operations (Urry 2007). Children experiencing economic solvency can secure 'backseat generation' membership through adult accompanied, door-to-door car journeys to enriching activities at negligible personal cost (Karsten 2005, Zwerts et al 2009, Barker 2009). Yet marginalised children have less choice about where and when they move, with youth justice control measures and compulsory appointments likely to result in *'enforced fixity'* or *'coerced movement'* (Urry 2007: 19). Socially disadvantaged children make an earlier transition to independent travel with narrower, low cost travel choices (such as walking or cycling) increasing the likelihood of journey uncertainty and incompletion (Zwerts et al 2009, Spilsbury 2005). Such varied capabilities and constraints suggest the need to better understand how convicted children's movements impact institutional boundaries and treatments.

When conceptualising youth justice practice spaces as poorly defined and in flux, it becomes possible to expand narrow policy conceptualisations of neighbourhood streets and offending behaviours (Aldred 2014, YJB 2005, Manderscheid 2014). Convicted children are overwhelmingly poor, with just 50 per cent of households in the lowest income quintile having access to private transport in 2011 - 40 per cent lower than the highest income quintile (DfT 2012). Transport exclusion has been connected with high transport costs, time coordination constraints, limited literacy and small physical body size (Church et al 2000) suggesting children experiencing social disadvantage as likely candidates. Journeys can also become fractured when 'spatial mismatch' and 'spatial entrapment' (Kain 2004, Houston 2005) disconnect neighbourhoods, transport and essential services, grounding populations to immediate locality areas or spitting them out of transport systems at untimely moments in unexpected places. Normative assumptions of service accessibility prevail within a contemporary age of 'automobility' where ready car access is broadly assumed (Manderscheid 2014, Aldred 2014). Yet children from low income families are more likely to rely on 'the street' for essential journeys, suggesting public places immediately before appointments shape youth justice.

## Sparse and punitive policy responses to journey problems

The recently introduced AssetPlus assessment makes a token glance towards youth justice accessibility (YJB 2014b: 6) but has done little to develop understandings of journey problems. When entering the system, anxiety can impede communication as children: *'can say they understand when they haven't got a clue… they are frightened and not listening'* (Hart 2010: 26). The normalisation of long term social adversity (Manderscheid 2014, Lucas 2012) can make it even harder to unearth children's lived experiences, suggesting the need for diverse, child centred communication (Kraftl et al 2012, Horton et al 2009, Banks and Zeitlyn 2015, YJB 2016). Official recognition of children's accessibility problems remains limited as dichotomous treatment only captures data after enacting formal processes, with discretionary support

remaining opaque. Yet inspection reports suggest absence to be a key barrier for practice effectiveness, sentence completion and children's long term outcomes, with rates as high as fifty per cent (HM Inspectorate of Probation 2005). Case Management Guidance also alludes to a problem, with absence used as a key 'non-compliance' example, and instance-based escalation endorsing a return to court for the third unjustifiable case (YJB 2014a).

When 'kinetic underclass' children are simultaneously helped and punished, or told to appear in court as a consequence of system constructed 'non-compliance', complex and entrenched causes of absence remain unresolved (Eidse et al 2016, Grandi and Adler 2015). If punished, two out of three court outcomes contravene the commitment to proportionate treatment in the context of proven offences, with sentence escalation and the imposition of additional conditions likely to exacerbate the problem (SGC 2009). This is because intensified or prolonged justice agency engagement is likely to involve journeys of a greater volume and complexity (YJB 2014a, SGC 2009). Although contingency measures are prudent, children on the most intensive community sentences can become imprisoned for 'non-compliance', with 16 per cent of incomplete community sentences in 2006/07 resulting in child custody (Hart 2010). Fortunately, the recommendation of *'count[ing] to three slowly'* (Bateman 2011: 123) characterises a recent retreat from the punitive turn with system diversion, relaxed national standards and formal sanction interruption through review panels (Kelly and Armitage 2015, YJB 2018b, Byrne and Brooks 2015, Allars 2018a,b). This exonerative turn has contributed towards a smaller youth justice population and halving of the national breach rate to three per cent (YJB 2018a), limiting the extent of the problem. However, early indications suggest population reductions have not been equally experienced, with black children increasingly dominating custody as diversion of their white counterparts accelerates (Bateman 2016). This ongoing justification of child imprisonment within a sector prioritising positive outcomes can only be interpreted as policy failure (YJB 2014a, SGC 2009). Through a mobilities lens, the kinetic underclass may require little time to reach the formal punishment threshold of three 'non-compliance' instances (YJB 2014a), suggesting the need to understand a little *more* and condemn a little *less*.

The exonerative turn contains new opportunities for policy innovation, with 'minimum standards' providing the potential to realise fluid theoretical understandings (Padley at al 2013, Davis et al 2016). Fusion of the new mobilities paradigm and minimum standards has the potential to identify absolute journey necessity, with localised responses circumventing rigid compulsory requirements and inequitable discretion. Yet minimum standards go beyond essential requirements, making broad, contextual assessments of what is needed for full societal participation (Padley at al 2013, Davis et al 2016). The approach lacks controversy as it doesn't take a narrow snapshot measure before directing attention towards its most disadvantaged stakeholders. Instead, a broader basket of goods and services is identified, financially assessed and then nuanced for different groups to develop comprehensive understandings of what is required. Minimum standards have been used in the context of income and place, encompassing minimum 'hard' and 'soft' conditions such as the built environment, facilities and social requirements. Such diverse applicability provides new

opportunities to deliver responsive and progressive youth justice by giving children what they need for full societal participation.

## Research approach

Mobilities research can unlock under-explored, diverse and socially situated experiences (Sheller and Urry 2006, Ferguson 2016), suggesting its relevance at the youth justice periphery. Policy-focused research is inherently political and focused on the production of knowledge for action (Bechhofer and Paterson 2000), critiquing dominant discourses using strategic voices and end-user experiences (Holland and Blackburn 1998). In terms of position, this inductive research examines contradictions apparent when fusing theoretical mobilities knowledge with youth justice policy and practice. Although findings are not generalisable to a broader population, they uncover a new social phenomena that remains unacknowledged in a youth justice policy context (Guba and Lincoln 1994). A qualitative research project was undertaken involving a pilot and then two case studies located in post-industrial towns - one previously permeated with coal mines and the other with cotton mills. Mining Town was larger, with 20 per cent rural land, compared with just five per cent in compact Mill Town (Defra 2009). Fusing mobilities theories with youth justice policy, the following three questions formed part of a larger scale research project that developed knowledge on convicted children's youth justice mobilities within an institutional geography context:

- Do convicted children's circumstances suggest they are not equally equipped to complete youth justice journeys for reasons beyond their control?
- Do convicted children simultaneously experience constrained movement capabilities and heightened mobility demands?
- Does evidence suggest social inequalities are (re)produced through youth justice journeys?

Multi-stage minimum income standards (MIS) methodology identifies 'important' and 'essential' goods and services through 'task groups' before establishing associated financial requirements using 'checkback groups', and distinguishing varied requirements for different people using 'final groups' (Davis et al 2016). Such an approach would have been valuable in this research but was not possible due to participant access difficulties, although findings loosely map onto stage one. Contact was made with children who were not completing youth justice journeys and were experiencing economic hardship, using existing youth justice and social deprivation data (DCLG 2011, MoJ 2012). Although absence is a contributory factor for youth justice order breakdown, its exact extent is unknown, making 'breach of a court order' data the closest available proxy measure (YJB 2018a). The two case study locations had breach rates that were two and a half times the national average, and some of the very highest in England and Wales (MoJ 2012). The index of multiple deprivation was then used to locate participants experiencing problems found within the youth justice population, such as employment, education and health deprivation (DCLG 2011). Adverse post-industrial effects

were evident in both case study areas, with rates of workless families with children above the national average, and around half the neighbourhoods within the fifth most deprived in the country for employment, education, skills and training. In Mill Town, health deprivation was especially significant, with nearly two thirds of neighbourhoods within the fifth most deprived in the country (ONS 2010).

After piloting, two qualitative mixed methods case studies were undertaken during the summer of 2012, with a total of 28 children and 33 practitioners participating in nine focus groups and 24 interviews. Stratified sampling was used to capture views and experiences of different practitioners working with children on the least serious community orders, to those on the verge of custody. Managers were interviewed with other staff specialisms including youth court, reparation and the provision of alternative education. Child participants were accessed through practitioners, with attempts to vary gender, ethnic background and severity of sentence. A local over-representation of white older males was reflected in the participant population with most participants aged 14-17 and just three female, one Black and two Asian children eventually involved. Perhaps unsurprisingly, prevailing non-attendance rates resulted in participant access barriers, and multiple no-contact research visits.

[figure 1 here]

Some groups are described as 'hard to reach' in research, with access and engagement barriers including social disadvantage, limited literacy, and those reluctant to either acknowledge their status, or engage with 'outsiders' who have a status difference (Benoit et al 2005, Wilson and Snell 2010, Brooks-Wilson and Snell 2012). This research used visual methods to overcome such barriers and elevate children's voices, in line with policy priorities (Kraftl et al 2012, Horton et al 2009, Banks and Zeitlyn 2015, YJB 2016). Visual methods can generate different levels of knowledge and engagement, so a pilot focus group was conducted with five 'hard to reach' children, with maps and icons eventually chosen (see Figure 1). In the main research study, children in Mining Town also took journey photographs, with resulting images enhancing focus group data richness (see Figure 2).

Research validity was maintained through the accurate representation of different voices, with internal validity achieved through knowledge from different participant positions and previous research on children's problematic institutional journeys. Research dependability was achieved through interim research progress reviews, with Plain English communication of information sheets and informed consent forms supporting robust, ethical data collection (Plain English Campaign 2009). The chaotic nature of children's lives presented a barrier for parental and carer consent, so youth justice practitioners supported the process. To protect children's safety, practitioners remained present upon request, with research inclusion precluded for those with significant mental ill health, violent behavioural conduct, and the most serious violent and sexual convictions.

[figure 2 here]

Each interview and focus group was recorded and transcribed with data coded using qualitative data analysis (QDA) software. Existing knowledge informed the initial list of codes and sub-codes, such as with *transport used: private/public/active.* Codes also emerged during the analysis such as *transport conflict adults* and *confidence* (Silverman 1993). Thematic analysis was then undertaken to arrange new empirical data into a logical structure. Establishing new evidence of movement at the youth justice periphery being adverse, unequal and socially (re)productive, this paper now presents findings on youth justice service access problems, journey criminalisation and punishment for lateness or absence.

# Findings

## Different journey problems

The following findings establish evidence of youth justice journeys as criminogenic and socially (re)productive, with outdated, dichotomous treatment suggesting the need for policy innovation. Every interview and focus group in this research started with the question *'do you ever struggle to get to the YOT'*, to which the universal response was *'no'*. Yet use of visual research methods developed new knowledge on youth justice access barriers (Benoit et al 2005, Horton et al 2009, Brooks-Wilson and Snell 2012), with an abundance of journey impediments apparent. Although discretionary youth justice access support was found to be taking place, it is beyond the scope of this paper and subject to discussion elsewhere (Brooks-Wilson 2018). Despite high levels of social deprivation and community sentence breakdown in both main case study locations, large rural Mining Town became a key focus in this research, with transport dependence complicating service access. Attendance was confirmed to be a problem for effective youth justice delivery as: *'at one time when I was really busy, it was running at just over, just under fifty per cent not attending'* (Reparation Coordinator, Mining Town Interview 5). Yet children were not to be equally well placed to access different services, with varied journey distances apparent. In compact Mill Town it was described how: *'if they're coming into town for [all of their appointments] everything is quite walkable'* (Mill Town Practitioner, Interview 1). Yet in Mining Town, reliance on transport was described:

*'One young person who used to cycle from* [village six miles away] *which is quite - about ten or fifteen minutes in a car. So that's quite a distance. But further out, like* [outlying former mining village ten miles away] *or out that kind of way - yeah, it would be too far to cycle'* (Court Officer, Mining Town Interview 9).

Despite the potential for enhanced service refinement through strategic consultation with diverse groups (Barker 2012) convicted children in Mining Town were not found to be involved in transport planning. Instead, prohibitively high travel costs rendered existing provision inadequate, disrupting smooth passage to regular, compulsory appointments:

*'I don't think you'll get a lot of people going on the bus if it's thirty pence with the [concessionary scheme] card [...] what from, straight from going from no money with a [concessionary scheme] card straight to thirty pence - I wouldn't do it anyway. I don't do it. I don't pay bus fares. I haven't got a bus pass - I don't pay bus fares. I walk - it's one pound seventy for me to get on the bus [...] I don't get no money at all'* (Male aged 17 on a Detention and Training Order, Mining Town Interview 13).

Contrasting with flexibly, adult-chauffeured 'backseat generation' children (Karsten 2005), this research also found transport timetabling to impact compulsory appointment attendance for children experiencing social disadvantage, providing evidence of how community sentence completion can be frustratingly impacted by the socially situated youth justice journey:

*'That is actually one of the worst things possible. That's the reason why I breached last time to be honest, because I just couldn't fucking get here. Sometimes I don't have money for the train, or something like that. Sometimes fucking, just five minutes late for the train and its gone, and then - bloody missed it'* (Young Person 2, Mill Town Focus Group 3).

Residual cultural factors within former industrial communities were found to complicate things further, with resilient independence contributing towards intergenerational immobility and the need to relocate services to outlying, satellite villages:

*'They're locally grounded. They don't come out of their own area very easily, you know. A trip to Mining Town is a big event to some of these people. Their postal address is [town in neighbouring area] as well. And they don't come out of these villages very easily, so fortunately I have a good team of supervisors in [outlying villages with high levels of deprivation...] we meet those young people outside the school [in their village]. Because that is a focal point of the community'* (Reparation Coordinator, Mining Town Interview 5).

Yet as discussed elsewhere (Brooks-Wilson 2018), services have varied levels of flexibility, making intergenerational (im)mobility problematic in different ways. This research found travel reluctance beyond the immediate locality to be connected with a range of issues, with one practitioner recounting the impact of child mental ill health:

*'We've got a young man at the moment [...] he's convinced that everybody who's not from [his village] is out to get him [...] he won't do anything unless it takes place in [his village...] He won't travel through any other part of the borough, because he's scared there are people out to get him. And it's not an uncommon thing really [...] There's lots of people in [local authority area] who stay in their village their whole life and never leave its boundaries'* (Mining Town Practitioner, Interview 9).

This finding demonstrates the need to develop broad understandings of complex need, encompassing less obvious, high impact areas like service access. Resonating with existing knowledge (Hart 2010), this research also connected children's (un)timely youth justice engagement (Urry 2007) with communication and comprehension issues:

Interviewer: *Have you ever like breached your order, or...?*
Young Person: *Yeah.*
Interviewer: *You have. Okay, what sort of thing did you do to breach it?*
Young Person: *I never turned up...*
Interviewer: *Which was the hardest to do? The employment?*
Young Person: *Both. My tag and my YOT.*
Interviewer: *So what was hard about the unpaid work?*
Young Person: *It took up a full day.*
Interviewer: *What time did it start?*
Young Person: *Ten o'clock.*
Practitioner: *It doesn't start at ten o'clock, it starts at nine.*
Young Person: *They said ten o' clock to me.*
Practitioner: *No wonder you never got there.*

(Male aged 17 on a Detention and Training Order, Mining Town Interview 14)

Such findings suggest effective communication to be crucial at the start of community sentences, with an increased need for child-centred methods (Hart 2010, YJB 2014b). Despite these different absence risks being likely to impede operational effectiveness and full societal participation (Urry 2007, Padley at al 2013, Davis et al 2016), journeys still sit almost entirely beyond formal need and risk assessments (YJB 2014b), while remaining wedded to formal punishment, strengthening the case for policy innovation.

## Journey problems and criminalisation

Resonating with existing research on journey inequalities (Cresswell 2010, Eidse et al 2016 Kaufmann et al 2004), this research found heightened compulsory journey requirements and sentence-related movement restrictions to be problematic. Yet normative accessibility assumptions prevailed (Manderscheid 2014, Aldred 2014), despite the heightened journey incompletion threat (Cresswell 2010, 2012 Urry 2007):

*'I've got one at the moment who, she committed an offence in a railway station […] so she's not allowed in that particular station, but she's allowed on railways and she can get on the next stop [...] So the next one's only couple of miles away, so we just made it clear that there's obviously buses into [town] as well'* (Mining Town Practitioner, Interview 3).

Unlike the passively chauffeured, door-to-door journeys being undertaken by the backseat generation (Barker 2009, Karsten 2005), children in this research described being responsible for high consequence journey making decisions in adverse conditions, demonstrating the impact of varied resourcing and requirements:

*'When you've got no money [for transport] and it's [raining heavily], and you've got a YOT appointment, you're on your last warning and if you miss it then you're going to court. That's a bad one innit? That is a bad situation that – I was in that situation a few weeks ago'* (Male 2, age unknown, Mill Town Focus Group 1).

Despite the current lack of policy detail on what constitutes 'acceptable' and 'unacceptable' absence, children in this research described committing criminal offences to maintain attendance commitments, providing evidence of the commitment to attend: *'That's why I catch the train back* [...] *and I just never say nowt, me* [...] *pretend I'm ringing my dad, so they can't ask me [for my ticket]'* (Male 1 on a Referral Order, Mining Town Focus Group 1). Concerningly, this research found practitioners to be aware of such service (in)accessibility solutions, suggesting the need for new guidance to tackle criminogenic service access:

*'Now, when they ring up and say they have no money to get on the bus, that's a very valid excuse. Because you can't get on a bus without the money. Some jump on the train and jump off it, but we don't tell them to do that'* (Mill Town Practitioner, Interview 4).

Committing criminal offences to access services designed to resolve such behaviours is paradoxical, suggesting the urgent need for policy innovation. Further developing understandings on 'illegitimate' service access, children in this research were also found to appropriate transport by being in contempt of court, providing evidence of socially (re)productive, retrospective support:

*'Sometimes young people see that oh, actually all that's happened is that the police have come and arrested me and driven me into town. So that's quite easy. So no big deal, I'll just do that anyway'* (Court Officer, Mining Town Interview 9).

Yet children's constrained choices and acceptance of punitive treatment does not make them complicit. Instead, attention should be directed towards the policy gap on service access that contravenes international agreements and legitimises such treatment (Unicef 2014). Such findings suggest the urgent need for malleable policy alternatives with minimum assurances. Such alternatives could limit the reproduction of social disadvantage and criminalisation of children, which can only be interpreted as policy failure within a sector designed to promote full societal participation.

## Journey problems and punishment

New evidence in this research suggests convicted children have a limited capacity to radically adapt journey making capabilities, and little choice about sudden, high compulsory attendance obligations (Cresswell 2006, 2010, Urry 2007, YJB 2014a). The prevailing youth justice policy gap can be suggested as endorsing normative assumptions of the unproblematic journey (Aldred 2014, Manderscheid 2014), with absence punishments responsibilising the 'capable' journey maker - an institutional moralising of the kinetic underclass (Eidse et al 2016):

*'They don't have much of a choice, because unfortunately if they kind of do not attend appointments or refuse to attend appointments, then there'll be a consequence. The consequence being that they may be returned to court again. And young people are aware of that as well, really'* (YOT Manager, Mill Town Interview 2).

This research confirmed the implementation of instance-based punishment for repeated 'non-serious non-compliance', despite such treatment being unlikely to resolve entrenched journey problems (Grandi and Adler 2015):

Interviewer: *'But if [young people] just didn't turn up, didn't call or anything, then...'*
Practitioner: *'Then it's written warnings.  The case worker will take on written warnings and that - then there'll be a final warning and the third missed appointment and they'll be getting set to breach them'* (Reparation Coordinator, Mining Town Interview 5).

This evidence demonstrates how entrenched justice agency engagement results from the repeated absence of children who are poorly placed to travel, with punishment disproportionate to the severity and frequency of transgressions (SGC 2009, Unicef 2014):

*'We have some serial non-compliers who through their entire history, through the YOT, have absolutely dragged it out.  They've only done one offence and they've ended up escalating – the boy I've got on intensive supervision now, is because he didn't do his attendance centre, and he was at the attendance centre because he didn't do his [reparation order]'* (YOT Practitioner, Mill Town interview 4).

One child in this research described narrowly avoiding custody for repeated absence, despite punishment being unlikely to resolve the complex, entrenched causes of his absence and lateness (Grandi and Adler 2015): *'I were at court for it last week, me - I nearly got sent back down [to custody]'* (Young Male aged 16, Mining Town Focus Group 2). It would be an oversight to suggest absence is only linked with practical, accessibility issues. Yet when just one child in the entire project described deliberately choosing not to attend, avoidance of personal safety risks was cited as the main cause. This finding heightens the connection between appointments

and journey making further, suggesting appointments impact journeys as well as journeys impacting appointments:

*'I turned up and I were on probation. And when I went there were just drug addicts on the floor, gouched out, so I says: "I'm not going back there - this is no place for me", you know what I mean. I said "I'm not coming and operating with him" so they sent me back inside... I weren't expecting to go [to custody]. I went to court [by] myself, and as soon as he just said, [you're] going, I just dropped to my knees - I couldn't believe it' (Male age 17, Mining Town Interview 13).*

This finding suggests an urgent need for policy innovation to address high impact punishment at the institutional periphery. Although contingency measures are crucial for any service to consider, seating such severe responses on top of opaque, inequitable discretionary treatment raises urgent questions about legitimacy and proportionality (SGC 2009, Hart 2010, Bateman 2011, Unicef 2014). Despite the current propulsion of youth justice towards a child-friendly exonerative turn, Case Management Guidance still makes firm connections between three absence instances and breach proceedings (YJB 2014a) suggesting the urgent need to extract the policy gap on journey making from simultaneous, contradictory help and punishment.

# Establishing convicted children's contradictory mobilities

This paper has demonstrated how the mundane, everyday times and places immediately before appointments are crucial for effective youth justice and full societal participation (Urry 2007, Cresswell 2010, Kaufmann et al 2004, Kain 2004, Houston 2005, Church et al 2000, Moran 2015). Catapulting children around locality settings, insufficiently considering why they fail to get up to speed and then punishing them is unacceptable and must be urgently reviewed. Remaining ideologically wedded to the sanctioning of rational actors will never resolve children's socially situated journey problems (Grandi and Adler 2015), with the urgent need for policy innovation now apparent.

Four poorly reconciled points can be drawn from this paper to develop a new concept of 'convicted children's contradictory mobilities'. Firstly, youth justice journeys are central to effective practice while positioned at the periphery (Brooks-Wilson 2018, Moran 2015). Secondly, youth justice journeys have a poor policy profile despite being high impact in terms of service entrenchment. Thirdly, child 'kinetic underclass' members have an abrupt requirement to undertake a high volume of compulsory youth justice journeys, despite experiencing movement restrictions and being poorly placed to adapt (Cresswell 2006, 2010, Urry 2007, YJB 2014a). Finally, sparse policy detail and a reliance on discretionary treatment means children are subject to contradictory, simultaneous help and punishment (YJB 2014a).

# Discussion

This paper has directed an alternative lens towards everyday places, to develop knowledge on a poorly understood aspect of youth justice (Phoenix 2016, Ferguson 2016). In terms of original contribution, this paper draws on youth justice, mobilities and minimum standards for the first time to make three broader recommendations. Firstly, the case for more diverse theoretical interpretations of youth justice has been made, with new opportunities for effectiveness extracted from overlooked places. Secondly, evidence suggests other multi-agency services would benefit from a mobilities lens, with dispersed and fragmented provision evidently problematic for marginalised populations. Thirdly, serious questions can be raised about the legitimacy of sentence (mis)conduct punishment, with inconsistent discretionary foundations and broader structural factors undermining responsibilised interpretations of order breakdown.

The exonerative turn is unlikely to future proof the treatment of children, making it important to consider further, specific recommendations for research, policy and practice. In terms of policy, it is recommended that absenteeism is no longer used as a key example of 'non-compliance' in Case Management Guidance (YJB 2014a), thus legitimising more diverse responses. Secondly, in terms of further research, detailed, larger scale data on the extent of children's youth justice accessibility problems is urgently needed. Opaque, discretionary, welfare support significantly masks the extent of accessibility problems, with formal 'breach of a court order' figures providing a partial, inadequate proxy measure. Thirdly, evidence in this paper suggests minimum standards (Padley 2013, Davis 2016) are likely to provide new opportunities for contemporary 'child first' youth justice (Haines and Case 2015, Allars 2018a,b). Minimum standards are ideologically opposed to the individualised punishment of slow or still children for reasons beyond their control. Instead, they provide uncontroversial opportunities to promote full societal participation by ensuring the population in question has enough of what is needed. As such, a mobilities ideological/minimum standards policy-based coupling would reposition 'kinetic underclass' children ontologically, validating very different 'appropriate' responses to lost momentum or acceleration failure.

Children are not equally well placed to complete journeys due to a complex combination of individual, household, locality and practice circumstances (see Table 1), making it necessary to develop rigorous policies that assess capability (Lucas et al 2009, Social Exclusion Unit 2003, Cresswell 2010, Kaufmann et al 2004, Church et al 2000). The three stage MIS methodology identifies a 'basket of goods and services' before establishing financial requirements in each area, then identifying basket configurations for different groups. It was not feasible to use MIS methodology in this research, but Table 1 can be loosely mapped onto the first of three stages, where a basket of goods and services is identified. Subsequently, further research is recommended to develop MIS methodology Stages 2 and 3 in the context of journey making, to develop a robust standard. Stage 1 could also be further enhanced by research that extends beyond post-industrial towns. For example, basket values and configurations could also consider catchment size, urbanization, ethnic composition and deprivation levels. Although this author disagrees with child custody as a response to order (mis)conduct, minimum standards

would add credibility and consistency to contingency 'last resort' treatment (Unicef 2014), allowing 'justifiable' mitigation to be more rigorously explored (YJB 2014a).

[Table 1 here]

In the context of service (in)accessibility, some contributory factors in Table 1 are broad, structural and difficult to resolve (such as social inequalities, structural unemployment or living in a remote area). They are also likely to require more strategic treatment at sectoral, local authority or national governmental level. However, Table 1 (or a version of) could be used in practice to more equitably focus thinking on points that can be easily addressed. For example, within the 'practice delivery' domain, the provision of staff contact numbers for all appointments would be easy to achieve, allowing children to communicate (for example) late running buses. Within the 'transport and locality settings' domain, the involvement of socially deprived children in transport planning could enhance service delivery to meet the needs of all community members (Barker 2012). It is clear from this research that transport providers should have an enhanced relationship with the youth justice sector, and be elevated to key partner agency status. Coordinated planning of transport and youth justice is likely to tackle basic issues such as affordability and timetabling. The involvement of children in resolving such crucial logistical issues is likely to promote effective practice, with longer term benefits extending into adulthood and supporting full societal participation (Allars 2018b, Davis et al 2016, Padley et al 2013). Importantly, Table 1 significantly undermines the legitimacy of 'three strikes' sentence escalation for absence based breach, with inequitable treatment clearly apparent when punishing late children who live far away from inflexible appointments without a bus fare, when those required to undertake a short walk remain unpunished.

It would be an oversight not to acknowledge that children sometimes decide to be absent. But overlooking multiple, structural factors when counting and punishing perceived transgressions will never resolve underpinning problems. The Youth Justice Board has recently acknowledged effective, child centred youth justice to be reliant on children's strategic voice (YJB 2016). This research agrees, suggesting children's enhanced involvement in cross-sectoral discussions (such as transport and youth justice) and at all stages of the policy process, including consultations where obligations to engage with *all* stakeholders still stand (Kraftl et al 2012, HM Government 2008). Supposing children's rights or daily experiences were completely unimportant (Unicef 2014), the cost of entrenched service engagement would still heighten the call for urgent policy attention. Journeys envelop most compulsory appointments and are fundamental to effective, child-centred practice, which simply cannot be delivered if a child is not there.

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